

a7  
cont

Organism Depository, National Institute of Bioscience and Human-Technology, Agency of the Industrial Science and Technology, Ministry of the International Trade and Industry Japan, 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken, JAPAN, and assigned International Deposit No. FERM BP-7206 on July 5, 2000 (original Deposit date: April 23, 1999).

**IN THE CLAIMS:**

**Please amend claim 3 as follows:**

a8 Sub C1

3. (Amended) The promoter according to claim 1, wherein the restriction site is a restriction site for BamHI.

**Please amend claim 5 as follows:**

a9

5. (Amended) The promoter according to claim 1, wherein the restriction site includes restriction sites for BamHI and at least one restriction site other than the restriction site for BamHI, and the restriction site other than the restriction site for BamHI is present downstream of the BamHI cleavage site.

**Please amend claim 9 as follows:**

a10 Sub C1

9. (Amended) An expression cassette having the promoter according to claim 1.

**Please amend claim 15 as follows:**

a11 Sub C1

15. (Amended) A recombinant microorganism having the expression vector according to claim 10.

**Please add new claims 17-30 as follows:**

a12

17. The promoter according to claim 2, wherein the restriction site is a restriction site for BamHI.

18. The promoter according to claim 2, wherein

the restriction site includes restriction sites for BamHI and at least one restriction site other than the restriction site for BamHI, and

the restriction site other than the restriction site for BamHI is present downstream of the BamHI cleavage site.

19. An expression cassette having the promoter according to claim 18.

20. An expression cassette having the promoter according to claim 2.

21. An expression cassette having the promoter according to claim 3.

22. An expression cassette having the promoter according to claim 4.

23. An expression cassette having the promoter according to claim 5.

24. An expression cassette having the promoter according to claim 6.

25. An expression cassette having the promoter according to claim 7.

26. An expression cassette having the promoter according to claim 8.

27. A recombinant microorganism having the expression vector according to claim 11.

28. A recombinant microorganism having the expression vector according to claim 12.

29. A recombinant microorganism having the expression vector according to claim 13.

30. A recombinant microorganism having the expression vector according to claim 14.

09936145-091001  
FOOTED-5479660

Sub  
C1

Q12  
cont